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Implementation of the resolutions of the United Nations

Security Council
Seventy-third year

Identical letters dated 5 April 2018 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to submit for your consideration an informal paper prepared by the Permanent Mission of the State of Kuwait to the United Nations (see annex). It contains a summary of the views and proposals put forward by participants in the open debate held under the Kuwaiti presidency of the Security Council on 6 February 2018. The subject was implementation of the note by the President of the Security Council (S/2006/507) concerning the working methods of the Security Council.

I should like to take this opportunity to express the profound appreciation of the State of Kuwait to the Member States for their participation in and contribution to the debate, and to the members of the Council who gave expression to the Council's determination to take on more direct responsibility for implementation of previously agreed-on decisions concerning the Council's working methods and the development of best practices.

The State of Kuwait, in its capacity as Chair of the Security Council Informal Working Group on Documentation and Other Procedural Questions, attaches great importance to the role played by the members of the Council in enhancing the work of the Council. That is why we chose to hold this open debate on this topic for the first time since July 2016. We wanted to give all Member States an opportunity to express their views on the Council's working methods and put forward their proposals to improve them, with a view to working together to develop those working methods and further improve upon the tireless efforts that have been made in the past.

I should be grateful if this letter and its annex could be circulated as a document of the General Assembly under agenda item 120, and of the Security Council.

(*Signed*) Mansour Ayyad **Alotaibi**
Permanent Representative of the State of Kuwait
to the United Nations

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Annex to the identical letters dated 5 April 2018 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General and the President of the Security Council

Summary of the views and proposals put forward by participants in the open debate held under the Kuwaiti presidency of the Security Council on 6 February 2018 on implementation of the note by the President of the Security Council (S/2006/507) concerning the working methods of the Security Council

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I. Introduction

During the open debate on the working methods of Security Council held on 6 February 2018 under the presidency of the State of Kuwait, the representatives of most of the States participating in the meeting stressed the need to discuss the topic and the importance of improving the Council's working methods and decision-making process. They said that they would continue to regard the note by the President of the Security Council (S/2017/507) as the basis for a road map, as it gave a general overview of the practices and working methods that had been discussed to that point. The importance they attached to the topic was demonstrated by the number of participants in the meeting, which included 57 speakers on behalf of 78 Member States or observer States of the United Nations.

The Executive Director of Security Council Report said that the adoption of the note of the President (S/2017/507) the previous year had been an important gain for strengthening transparency and effectiveness. Important steps forward included inviting newly elected members to earlier observation of Council meetings and the commitment to earlier designation of the chairs of subsidiary bodies, allowing for a more effective handover of responsibilities. He expressed his concern regarding the pen holder system, which had the effect of closing down space for initiatives of elected members. Three permanent members remained pen holders for a majority of items on the Council's agenda. He said that there should be greater transparency in the consultation process, and that consultations of the whole should give all Council members a reasonable amount of time to review all draft documents. He stressed that the quality of negotiations on Council documents significantly affected the Council's effectiveness. He believed that the revised Note 507 addressed that issue. It was a valuable codification of existing agreements on Council practice. He commended the role played by elected members and the wider membership in enhancing the work of the Council.

Most States agreed with the call for the Council's work to be guided by the principles of transparency, inclusiveness, accountability and efficiency. The representative of Colombia said that more active participation by non-members of the Council, their inclusion in the formulation of resolutions, the holding of more Council meetings, greater publicity for its meetings and instances of greater transparency with respect to the activities and documents of the Council, inter alia, had democratized the Council's work and made it and its impact more efficient.

Germany, in its capacity as Vice-Chair of the Peacebuilding Commission, said that links should be strengthened between the Council and the Commission to enhance the ability of the United Nations to move more seamlessly from crisis response to long-term peacebuilding. That could be done by enhancing the Commission's advisory role. He proposed to regularly invite the Chair of the Peacebuilding Commission and the country-specific configurations to participate in public Security Council meetings.

Improvements

Member States commended recent improvements in the Council's working methods. The representative of Singapore said that the steady increase in the number of public meetings since 2013 had contributed to significant progress in transparency in recent years. Most of the representatives of the Council's non-permanent members, including Peru, Poland, Kazakhstan and Côte d'Ivoire, expressed approval for holding Council elections early, thus allowing elected members to observe closed meetings of the Security Council. Switzerland, speaking on behalf of the Accountability,

Coherence and Transparency Group, said that the progress achieved over the years had been slow and implementation of what had been agreed upon had been uneven.

II. The agenda of the Council

The representative of Maldives said that one area where more work could be done was in enhancing the focus of the Council on the emerging realities of conflict in the world, including non-traditional threats to security such as extreme poverty, a shortage of resources, climate change and violent extremism. The representative of Turkey said that better coordination of the Security Council with the General Assembly, the Economic and Social Council and the Secretariat, as well as with the Peacebuilding Commission, was crucial. The representative of Indonesia said that greater drawing by the Council on the Peacebuilding Commission's expertise, as well as improved collaboration with the General Assembly and the Economic and Social Council, particularly as conflicts become more complex and multidimensional, would only enable the Council to develop more comprehensive solutions.

The representative of China said that there had been a palpable increase in the number of open debates of the Council, and that coordination among the Council, the General Assembly, the Economic and Social Council and other United Nations entities had been strengthened. The Charter contained clear provisions on the responsibilities of the Council. The Council must focus its resources and energy on addressing major and urgent issues concerning international peace and security and improve the impact of its action. The representative of the Russian Federation said that his country had serious reservations about the practice of considering thematic subjects in the Council, especially those that came under the remit of the General Assembly, the Economic and Social Council or other United Nations bodies under the Charter, which he believed violated the established division of labour and distracted the Security Council from its priority tasks.

The representative of the Plurinational State of Bolivia said that his country was concerned about efforts to include items on the Council's agenda that were better suited to the mandate of other bodies in the United Nations system. The representative of Ethiopia said that the Council's agenda included several items that continued to be discussed even though there were no new developments in them to speak of. The Council should consider what it could do to streamline its work and prioritize issues that required the Council's urgent attention and response. The representative of Peru said that when proposing consideration of an urgent item or other business, it would be good practice for interested delegations to provide information on the specific issues they proposed for discussion.

The representative of France said that the Security Council must be able to adapt its methods and functioning to changes in its environment so that it could focus on the crises that were disturbing the international order. The representative of Egypt said that given the complicated nature of conflicts on the Security Council's agenda, there was a need for comprehensive approaches that took into consideration the different dimensions of the conflicts throughout their different stages. The representative of the Netherlands said that the principle of prevention was a key tool to better understand the situation on the ground and to help prevent conflicts from breaking out. The representative of Poland said that there was a need for a strategic overview and a prevention-oriented approach within the Council so that matters that threatened the maintenance of international peace and security could be identified early and addressed appropriately. The representative of Turkey said that efforts on conflict prevention, including through mediation efforts, could be enhanced by the Council making the best use of the tools at its disposal to prevent conflict in an

informed manner. The representative of the United States said that human rights reporting and monitoring gave the Council improved situational analysis and early-warning capabilities, both of which would be needed if the Council was going to improve its track record in preventing conflict.

III. Meetings

A. Participation

Several States, including Finland, Italy, the Netherlands, Poland, Sweden and the United Kingdom, called for more briefings and collaborations with civil society, including women, youth, non-governmental organizations, human rights defenders and humanitarian experts. The representative of Belgium said that persons in a position to alert the Council to mass atrocities, such as the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect, should be allowed to present briefings during Security Council meetings. The representative of Bangladesh commended the Council for giving a hearing to the narratives of victims of armed conflicts, which enhanced the Council's human face. The representative of the United States said that the Council could also make better use of its video teleconferencing capabilities to hear directly from affected people.

The representative of Australia said that Council members should engage regularly with the broader United Nations membership through briefings, including with regional groups and outreach to affected countries. The representative of Lebanon said that non-Council members should be allowed to participate in the closed sessions of the Council when they themselves were involved. The representative of Cuba said that the Security Council should do away with exclusive practices to ensure that there was genuine participation and democratization in its work and decision-making. The representative of France said that the Council must do better to enforce time limits on interventions, in particular in open debates, and ensure that they were operational in nature.

B. Format

The representative of Switzerland, speaking on behalf of the Accountability, Coherence and Transparency (ACT) group, said that Council members should hold open meetings whenever possible, in order to increase transparency and cooperation among themselves and with the wider United Nations membership, United Nations agencies and civil society representatives who could provide useful advice to the Council.

The representative of Australia said that the Council should make greater use of public meetings, open debates, Arria Formula meetings and monthly wrap-up sessions. The representative of Pakistan said that the Council should enhance its engagement with the wider United Nations membership by increasing the number and proportion of open meetings, which would ensure effective and active participation by non-member States. The representative of Turkey said that the Council should increase the number of briefings and decrease the number of closed meetings. The representative of Venezuela said that public Council meetings should be the rule rather than the exception.

The representative of Italy said that the Council should make more regular use of informal meetings, to allow all States to receive necessary information prior to deliberations. The representative of France said that the Council created redundancy when public briefings were followed by closed consultations. The representative of

the Russian Federation said that the formats for considering regional situations should be guided not by national preferences but by the real state of affairs in hotspots.

C. Open meetings

The representative of Sweden said that open debates were a means of facilitating genuine dialogue between the Council and the broader membership, and proposed allowing only the broader membership speak to members of the Council. The representative of Portugal said that the Council should be enabled to postpone the adoption of the outcomes of open debates in order to take into consideration the contributions of those participating in the debates. The representative of Japan encouraged the President to be present until the end of the open debate to listen to the views of the wider membership. Presidential summaries could also be useful.

The representative of the United States said that the Council could establish an annual open debate for non-governmental organizations (NGOs) engaged in mediation and conflict analysis to ensure that the Council was aware of best practices. The representative of Costa Rica said that open debates should be used as platforms for the perspectives of representatives of civil society, especially women, and others who had a legitimate interest in the Council's decisions or were affected by them.

D. Closed meetings and informal debates

The representative of Ethiopia said that the Council must strike the right balance between enhancing transparency on the one hand and holding candid behind-the-scenes consultations on the other. The representative of France said that during consultations, discussions must be direct, interactive and informal. The representative of Sweden called for a minimum outcome from all consultations in the form of agreed messages to the wider membership and the media. The representative of Singapore said that more should be done to regularly involve concerned States or regional bodies in informal consultations on issues and decisions that impact them. The representative of Uruguay said that closed consultations should be restricted to cases where it was necessary to deal with sensitive issues or which required further debate or interaction among the 15 Council members.

E. Wrap-up meetings and Toledo-formula meetings

There was a consensus among many participants in the meeting on the principle of increasing the number of monthly wrap-up sessions held by the President of the Council. Such a course of action would increase the flow of essential information, thereby helping Member States expand their understanding of the Council's positions.

F. Arria-formula meetings and informal interactive dialogues

A large number of States commended the effectiveness of informal Arria-formula meetings. The representative of France said that the Council should continue to benefit from them. A number of States, including Hungary, Chile and Maldives called for an increase in the number of Arria-formula meetings. The representative of the Bolivarian Republic of Venezuela said that such meetings should be governed by a regulatory body so as to avoid excesses being committed to the detriment of the purposes and principles of the Charter.

IV. The decision-making process (Security Council resolutions and presidential statements)

A number of States, including China, Chile, Egypt, the Russian Federation and Saudi Arabia felt that all members of the Council should participate equally in the negotiation process for draft resolutions. The representatives of Equatorial Guinea, Kuwait, Lebanon and New Zealand said that resolutions should reflect the views expressed by Member States as a whole, and in particular the States directly concerned or particularly affected. The representative of Poland stressed the need to ensure that the Council's outcomes were connected to applicable international law.

Several States, including China, Japan and Kazakhstan, called for Council members to be given sufficient time to study draft resolutions and presidential statements. The representatives of Egypt and Costa Rica said that Council members should be given sufficient time to consider proposals, and that they should be allowed to request that the silence period be extended or, failing that, to break the silence when deemed necessary. The representative of Turkey said that the wider membership should have timely access to draft resolutions and presidential statements.

The representative of Pakistan said that the Council should periodically review the implementation of its own resolutions, especially on long-standing issues. She called on the Council to make sure to exhaust all available choices before mandating actions under Chapter VII. The representative of Brazil said that the Council should draw inspiration from the relevant peacekeeping and sanctions regimes in order to ensure the inclusion of sunset clauses, provide adequate reporting periods and establish panels of experts to monitor their implementation, with a view to ensuring that the very persons whose protection was being invoked were not harmed in the exceptional circumstances in which it authorized military interventions. The representative of the Islamic Republic of Iran said that the Council should elaborate on the circumstances under which it adopts the various outcomes, be they resolutions, presidential statements, press statements or other elements for the press.

A. Responsibility for drafting

The representatives of a large number of Member States, including Belgium, the Plurinational State of Bolivia, Chile, Costa Rica, Equatorial Guinea, Ethiopia, Finland, Germany, Italy, Japan, Kazakhstan, Pakistan, Peru, the Russian Federation, Singapore, Sweden and Switzerland (speaking on behalf of the Accountability, Coherence and Transparency Group), expressed the wish for pen holder and co-pen holder responsibilities to be distributed between permanent members and elected members. The representative of the Russian Federation said that the task of drafting was an additional responsibility, and those carrying out that function had to act impartially and respectfully, and keep constant track of events in the countries concerned in order to prevent the deterioration of situations and the emergence of so-called forgotten crises.

The representative of Costa Rica said that the Council should hold formalized consultations among all members of the Council when making decisions on the distribution of pen holder responsibilities. The representative of Peru said that use should be made of the views of the chairs of various subsidiary bodies, as appropriate. The representative of Japan said that the chairs of sanctions committees might be in a position to contribute more on the drafting of sanctions-related resolutions, and that countries that contributed troops to peacekeeping forces might be able to contribute to consultations on mandate renewals for peacekeeping missions.

B. The veto

A number of speakers, including Australia, Costa Rica, Liechtenstein, Mexico and Switzerland, declared their support for the Accountability, Coherence and Transparency Group code of conduct regarding the veto in crises that might rise to the level of genocide, crimes against humanity and war crimes. Other States, including Bangladesh, Equatorial Guinea, Indonesia, Kuwait, Maldives and Ukraine declared their support for the French-Mexican initiative on suspending the use of the veto in cases of mass atrocities. The representative of the Russian Federation said that the right of the permanent members to use the veto did not come under the category of the Council's working methods. It was not a privilege but an instrument pledging and guaranteeing the Council's ability to reach balanced decisions. The representative of Cuba said that the veto must be eliminated as soon as possible.

The representative of Equatorial Guinea called on the Council to re-evaluate the question of the veto with a view to evolving more inclusive and democratic decision-making measures. The representative of the Plurinational State of Bolivia said better outcomes could be achieved and more humanitarian tragedies prevented if the tools at the Council's disposal were utilized much earlier, without resort to the veto as an instrument for advancing national interests.

V. Subsidiary bodies

The representative of Equatorial Guinea expressed support for efforts to make the work of subsidiary bodies more streamlined and coordinated, since a better understanding of the work of the subsidiary bodies would contribute to better and more effective implementation of the Council's decisions. He added that there were reasons to improve coordination among the subsidiary bodies, especially those that dealt with related issues or had a similar geographical scope. The representative of the Islamic Republic of Iran said that the establishment of subsidiary organs, mechanisms or formats by the Council should be in accordance with the letter and the spirit of the Charter of the United Nations. The representative of Turkey said that greater transparency was necessary in the functioning of the Security Council subsidiary organs, which should be encouraged to further interact with the United Nations membership. The representative of Pakistan said that elected members should have more equitable representation on subsidiary organs.

The Representative of Portugal said that the Council should make better use of its subsidiary bodies, such as the sanctions committees and the working groups, to ensure that it captured early signs of emerging threats to peace and security. The representative of Chile said that the work of the various subsidiary bodies should be consolidated and that the reports of the groups of experts of sanctions committees should be considered when structuring outcome documents, in particular, with regard to mission transfers. The representatives of Algeria and Turkey both said that greater transparency was necessary in the functioning of the Security Council subsidiary organs, and that they should be enabled to provide adequate and timely information on their activities to the general membership. The representative of Kazakhstan said that the joint consultations of subsidiary bodies should continue as a regular practice of the Council. The representative of the Netherlands said that the role of the Military Staff Committee should be strengthened, and that a more proactive and intensified dialogue was needed between elected and permanent members.

A. Chairs of subsidiary bodies

The representatives of Costa Rica, Guatemala and Kuwait called for the appointment of chairs of subsidiary bodies through informal consultations conducted in a balanced, transparent, proactive and inclusive manner. The representative of Sweden said that both permanent and elected members should serve as chairs of the subsidiary bodies and have an equal say in the selection of those chairs. The representative of the Plurinational State of Bolivia, said that during the selection process for chairs of subsidiary bodies, at least one informal meeting of the Informal Working Group should be held. The representative of Bahrain said that chairs of subsidiary bodies — including Chairs of the sanctions committees — should present informal periodic briefings to all Member States on their activities, specifying when and where such meetings would take place.

B. Sanctions committees and panels of experts

A number of States, including Switzerland (speaking on behalf of the Accountability, Coherence and Transparency Group), Belgium, Finland and Peru, said that the sanctions enforcement process should be conducted in accordance with legal procedures and the rule of law. The representatives of the Plurinational State of Bolivia, Finland and India called for greater transparency in the working methods and decisions of sanctions committees. The representatives of Argentina, India and Finland said that ombudspersons should be created for other sanctions committees. The representative of the Plurinational State of Bolivia said that periodic reviews should be conducted to determine whether the sanctions were effective and if they were hurting local populations. The representative of Guatemala said that it was necessary to ensure that the selection and appointment processes for the various groups of experts were more transparent and balanced. The representative of Australia said that it was imperative that the broader membership should be engaged appropriately in Council deliberations in the field of sanctions. The representative of Egypt, said that it was important to form a genuine partnership among the Security Council, Member States and stakeholders.

VI. Communication with non-Council members, other United Nations bodies and other parties

The representative of Brazil said that communications issued under Article 51 of the Charter of the United Nations should be more easily available, so that non-members of the Council could have easier access to them on the Council's website. The representative of Mexico said that the Council should review and modify its working methods in order to lend transparency to the way in which it responded to the letters addressed to it that invoked the inherent right of self-defence under Article 51 of the Charter. The representative of Thailand said that the Council members should share information, developments and outcomes with the wider membership of the United Nations, the public, non-governmental organizations and civil society, as appropriate, through frequent debriefing sessions.

A. Interaction within the Council

The representatives of a number of States called for debates among Council members to be more transparent and inclusive, saying that information should be available to the wider membership, so that it could take part in discussions on issues

under consideration. The representative of Switzerland, speaking on behalf of the Accountability, Coherence and Transparency Group, said that non-permanent members should be fully involved in the Council's business. The representative of Finland said that non-permanent members should be given an equal chance to participate.

B. Interaction with non-Council members

The representatives of a number of States, including Azerbaijan, China, Finland, the Russian Federation, Sweden and Uruguay, said that the Council should increase its interaction and coordination with the wider United Nations membership. The representative of Sweden said that the Council and its members needed to talk with countries, and not only about them. A number of States, including Brazil, China, Italy and South Africa, said that the Council should engage in consultations in a timely fashion, and step up its interaction with interested, concerned and affected States. The representative of Slovakia said that efforts aimed at enhancing the openness of the work of the Security Council, including the work of its subsidiary bodies, should continue, and that interactive dialogue should take place between the Council and other Member States. The representative of Bangladesh said that information should be shared in a transparent manner on actions taken against Member States that had reportedly violated the Council's own sanctions regime, particularly in cases of arms transfers. The representative of Norway said that there needed to be a balance between gaining the support of the wider United Nations membership and enabling the Council to take prompt and effective action to maintain international peace and security. The representative of the Russian Federation said transparency should not become an obstacle to frank and substantive discussions among Council members.

C. Interaction with troop- and police-contributing countries

A large number of speakers welcomed the dialogue between the Council and countries contributing to peacekeeping forces. The representatives of the number of countries, including Brazil, Egypt, Côte d'Ivoire, Indonesia and Singapore, said that the Council should improve and enhance interaction with troop- and police-contributing countries within the context of discussions on peacekeeping. The representatives of China and the Netherlands said that there should be more interactive and focused consultations with troop- and police-contributing countries and other stakeholders in the meetings of the Working Group on Peacekeeping Operations. The representatives of some countries, including China, Egypt, Ethiopia, Indonesia, Italy, Pakistan and Singapore, said that the Council should weigh the views and concerns of troop-contributing countries during mission deployment and mandate renewals and adjustments. The representatives of Belgium and Uruguay said that the Council should increase the practice of tripartite dialogues among troop-contributing countries, the Security Council and the Secretariat. The representative of Guatemala said that consultations among the Security Council, the Secretariat and the troop- and police-contributing countries were of great importance when peacekeeping operations transitioned to special political missions and in the eventual modification of their mandates.

D. Interaction with regional organizations

The representative of Ethiopia said that the Council should institutionalize the practice of bringing in briefers from regional organizations. The representative of Costa Rica said that best practices in the Council's relations with regional bodies

should be institutionalized. Representatives of a number of countries, including Algeria, Bahrain, Belgium, China, Egypt and Turkey said that interaction and coordination efforts with regional and subregional organizations should be stepped up. The representative of South Africa said that the Council should avoid a practice where the Council was selective in its approach and relationships with regional bodies were merely utilized in times of political convenience. The representative of Pakistan said that the Council should rely more on the instrument of diplomacy and pacific settlement of disputes under Chapter VI of the Charter. Better utilization of regional and subregional organizations in accordance with Chapter VIII of the Charter would also help. The representative of Côte d'Ivoire said that Security Council field missions to conflict areas allowed the Council to better grasp the real problems being experienced in the countries visited and to come into contact with all concerned stakeholders and promote dialogue between them in order to help them emerge from crisis. The representatives of Egypt, Equatorial Guinea, the Netherlands and South Africa said that the Council should increase coordination and cooperation with the Peace and Security Council of the African Union.

E. Interaction with the General Assembly and the Economic and Social Council

A number of States, including Argentina and the Islamic Republic of Iran, said that the Council should not encroach on the functions of other organs, such as the General Assembly and the Economic and Social Council. The representative of Lebanon said that the relationship between the Council and the General Assembly should not be considered only in the context of encroachment, but rather in the framework of shared responsibility. The representatives of a large number of States, including the Plurinational State of Bolivia, Bahrain, China, Colombia, Costa Rica, Estonia, Indonesia and Portugal, said that the Council should review and improve its relations, communication, cooperation and coordination with the General Assembly, the Economic and Social Council, and other United Nations bodies. The representative of Maldives said that there should be increased information-sharing with the general membership with regard to the discussions and deliberations of meetings of Presidents of the Council, the General Assembly and the Economic and Social Council. The representatives of the Islamic Republic of Iran and Algeria said that the Council should fully take into account the recommendations of the General Assembly on matters relating to international peace and security, consistent with Article 11, paragraph 2, of the Charter.

F. Interaction with the Peacebuilding Commission

The representatives of a large number of states, including Belgium, Germany, Guatemala, Indonesia, Italy, Turkey, Slovakia, South Africa and Sweden, said that the relationship between the Council and the Peacebuilding Commission should be more strategic. The representatives of Brazil, Germany and Portugal said that the chairs of the Peacebuilding Commission and the country-specific configurations should be invited regularly to participate in public Security Council meetings. The representative of Portugal said that the Council could invite the chair of a country-specific configuration of the Commission to participate in closed consultations following a visit by the Commission to the country concerned. The representative of Brazil said that the Secretariat should make the proper arrangements to allow Special Representatives of the Secretary-General and Special Envoys to brief the Peacebuilding Commission's country-specific configurations prior to Security Council meetings so that the Commission could fully play its advisory role. The

representative of South Africa said that the Council could do more to draw on the expertise of the Peacebuilding Commission, in particular during the renewal of mission mandates. The representative of Costa Rica said that best practices in relations between the Council and the Peacebuilding Commission should be institutionalized.

G. Interaction with the International Court of Justice and the International Criminal Court

The representative of Brazil said that the annual briefing by the President of the International Court of Justice should be public. The representatives of Hungary and Liechtenstein said that the Council should use its International Criminal Court referral powers with respect to the crime of aggression wisely with a view to ensuring accountability and justice where needed. The representative of the Netherlands said that cooperation should be stepped up with the mechanisms aimed at monitoring compliance with Council resolutions.

VII. Security Council missions

The representative of Equatorial Guinea said that there was a need for continuing discussions within the Council to develop and enhance provisions regarding Security Council missions, with a view to clearly defining mission planning and the decision-making process on deployment, the timeline for the submission of reports and the way in which they are crafted, and the decision-making process of the Council on a mission's outcome. The representative of Bangladesh said that visits should be organized in a way that responded to the most urgent conflict and humanitarian situations under its consideration. The representative of Côte d'Ivoire said that missions should be used to gather information, assess progress on the ground and take measures conducive to the implementation of peace agreements.

VIII. The annual report

The representatives of a number of States, including Colombia, Hungary and Lebanon said that the annual reports submitted by the Council to the General Assembly should be less descriptive and more analytical, and should assess the work of the Council, including the logic behind its decision-making. The representatives of Algeria, Cuba and Iran said that the Council should submit reports for consideration by the General Assembly, in accordance with Articles 15 and 24 of the Charter.

IX. The monthly assessment

The representatives of Algeria and Ukraine said that monthly assessments should be issued in a timely fashion and constituted a valuable source for preparing annual reports. The representatives of Algeria and Iran said that the Council should ensure that its monthly assessments were comprehensive and analytical.

X. Documentation

The representative of France said that it was essential to ensure systematic respect for multilingualism for all Council documents and meetings, including those of its subsidiary bodies.

XI. Newly elected members of the Council

The representative of Finland said that it was essential to support incoming members in preparing for their tenure in a comprehensive and effective manner. The representative of Peru said that it was important to build on the practice of providing a three-month period to observe the consultations of the Council and receive the corresponding documents, and extend it to observing the process of negotiations on resolutions and presidential statements.

XII. Other matters

A. The process of appointing the Secretary-General

The representative of Estonia said that the interaction between the Security Council and the General Assembly needed to be improved to live up to the expectations and standards of the members of the Accountability, Coherence and Transparency Group. She believed that the use of colour-coded ballots during straw polling should be discouraged and that the equal rights and role of all Council members in the process should be upheld. She also called for regular public briefings by the Security Council on developments in the nomination process and for open communication with regard to straw poll results.

B. The Informal Working Group on Documentation and Other Procedural Questions

The representative of Argentina said that the Informal Working Group on Documentation and Other Procedural Questions should continue to work towards a single, comprehensive document, so as to consolidate and streamline all decisions on the working methods of the Council.

C. Working methods

The representatives of a large number of States, including Costa Rica, Equatorial Guinea, France, Germany, Guatemala, Hungary, Indonesia, Italy, Kazakhstan, Kuwait, the Netherlands, Pakistan, Poland, Slovakia, Switzerland (on behalf of the Accountability, Coherence and Transparency Group), Ukraine and the United Kingdom, said that the Council should work to implement the recommendations of the note by the President (S/2017/507). The representative of Brazil said that more attention should be devoted to the working methods of the Council as they related to the use of force, including communications issued under Article 51 of the Charter. The representatives of Bahrain and Norway said that open debates on the working methods of the Security Council should continue to be convened on a regular basis. The representatives of Algeria, Cuba, Equatorial Guinea, Lebanon, Singapore and South Africa said that the Council's provisional rules of procedure and working methods should become permanent.

D. The Secretariat

The representative of Poland said that the Council should fully utilize the potential of the Secretariat, including the Department of Political Affairs, for prevention activities, including by receiving briefings on situations that might escalate. The representatives of Ethiopia and Sweden said that reports of the

Secretariat and briefings by special representatives should be more concise, timely, relevant and to the point, and should highlight the latest developments and draw attention to issues that might require a response or action on the part of the Council. The representative of the United Kingdom said that briefings from the Secretariat should be more comprehensive, effective and action-oriented, which could be done by promoting more interactivity in consultations and seeking outcomes from our meetings. The representative of Ethiopia said that communications from the Secretary-General on the appointment of special representatives and others should be more timely. The representative of Sweden said that briefings to the press should be enhanced and more frequent to broaden awareness of situations under discussion.

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-third year

Identical letters dated 27 April 2018 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

Just one day after the Security Council open debate on "The situation in the Middle East, including the Palestinian question", I am compelled to write to you again as Israel, the occupying Power, continues with its intentional killing and injuring of Palestinian civilian protesters in the Gaza Strip, demonstrating further its complete disregard for the rule of law, United Nations resolutions and basic norms of morality.

For the fifth week in a row, unarmed, defenceless Palestinian civilians have taken part in the "Great March of Return", a peaceful protest largely involving sit-ins, concerts, sports games, speeches and other peaceful activities. These protests, launched on 30 March and set to culminate on 15 May, the seventieth anniversary of the Nakba, are calling for the right of return of Palestine refugees to their homes and towns, demanding an end to Israeli occupation, siege and dispossession, and calling for Palestinian independence and freedom.

The demonstrators are also protesting the Israeli blockade of Gaza and the unbearable conditions of life there, where 2 million Palestinians, the majority of whom are refugees, have been subjected, for over a decade, to an illegal Israeli land, sea and air blockade that has vastly compounded the misery and suffering inflicted on the Palestinian people by five decades of Israeli military occupation, since 1967, and seven decades of dispossession and denial of their right of return to their homes and ancestral lands, since their ruthless uprooting in the Nakba of 1948.

While it is natural for any oppressed peoples to rise up against injustice and seek freedom, and while it is honourable for them to do so peacefully, Israel has clearly instructed its soldiers to respond to these demonstrations with lethal violence against the civilian protesters for daring to reject and challenge the occupation and its persecution. This systematic and widespread targeting of unarmed civilians is deplorable and illegal, constituting war crimes and crimes against humanity.

This has led United Nations bodies, human rights organizations and States worldwide to speak out. Earlier today, Amnesty International referred to Israel's

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actions as "a murderous assault against protesting Palestinians, with its armed forces killing and maiming demonstrators who pose no imminent threat to them". In a press release today, the United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, stated, "images of a child being shot as he runs away from Israeli security forces are downright shocking", referring to the case of Mohammad Ayyoub, age 14, who was killed by a bullet to the head on 20 April.

Today alone, the Israeli occupying forces have killed three Palestinian civilians and injured more than 830 people, inflicting more devastation on families in Gaza and further overwhelming the health sector and emergency services, the capacities of which are already severely depleted after more than a decade of Israeli blockade. This brings the total number of Palestinian civilians killed since the protests began on 30 March to 44.

The casualties include Tahrir Mahmoud Said Wahbah, a deaf teenager aged 18, who died on 23 April from injuries sustained when he was shot in the head on 13 April while standing 150–200 metres away from Gaza's border with Israel in Khan Younis, and Abdallah Muhammad Jibril al-Shamali, age 20, who died on 22 April, two days after being shot in the abdomen by an Israeli sniper, east of Rafah in southern Gaza.

Journalists also continue to be attacked by the occupying forces. Ahmad Abu Hussein, a photojournalist, age 24, died on 25 April, succumbing to injuries sustained while covering protests on 13 April, when he was shot through the abdomen while wearing clearly marked press gear, in grave breach of international law and in violation of Security Council resolution 1738 (2006). As many as 66 journalists have been injured during the demonstrations held so far. Moreover, in a letter to the Israeli Prime Minister, the Committee to Protect Journalists noted that, since most of the journalists shot since 30 March were wearing vests marked "PRESS" at the time of injury, "the shootings suggest that Israeli authorities could be trying to suppress media coverage of the protests".

The deliberate targeting of athletes also continues, with six Palestinian athletes targeted since the protests began. Mohammad Khalil Obeid, a Palestinian football player, age 23, while posing no threat whatsoever, was shot in both knees on 30 March by Israeli soldiers. Alaa al-Dali, age 21, a cyclist who had been training for months to compete in the 2018 Asian Games in Indonesia, was shot in the leg on 30 March and then punitively denied a permit to leave Gaza for medical treatment in the West Bank, resulting in the amputation of his leg.

The injuries sustained by protesters have been "horrific", likely to leave many of them with permanent disabilities, according to doctors at the European and Shifa hospitals in Gaza City. The director of the emergency department at Shifa, Gaza's largest hospital, stated that most of the casualties were "wounded by live ammunition, mostly shot in the lower limbs, crushing large parts of the bones, cutting into veins, nerves and muscles, and losing skin in the injured area".

The humanitarian group Médecins sans frontières has also observed "unusually severe and devastating gunshot injuries" since the protests began. Furthermore, the charity stated on 26 April that: "Half of the more than 500 patients we have admitted in our clinics have injuries where the bullet has literally destroyed tissue after having pulverized the bone. These patients will need to have very complex surgical operations and most of them will have disabilities for life." The United Nations Humanitarian Coordinator, Jamie McGoldrick, also stated on 26 April that "over the course of four Fridays of demonstrations, far more Palestinians have been injured in the Gaza Strip than in the preceding three years combined".

Moreover, a spokesperson for Amnesty International has said that: "The nature of these injuries shows that Israeli soldiers are using high-velocity military weapons

designed to cause maximum harm to Palestinian protesters that do not pose imminent threat to them. These apparently deliberate attempts to kill and maim are deeply disturbing, not to mention completely illegal."

While Gaza's health sector is struggling to cope with this mass influx of casualties, Israel is compounding the severe challenges being faced by deliberately attacking paramedics and their equipment. Nearly 80 medics have been injured during the protests, including 5 by live fire, and 20 ambulances have been damaged by Israeli fire.

In addition, repeated declarations by Israeli officials over the past weeks amount to open admissions that killing unarmed civilian protesters, who pose no objective threat, is their policy and intent.

In a radio interview, Israeli Brigadier-General (Reserve) Zvika Fogel confirmed this premeditated, deliberate policy, stating that when snipers stationed along Israel's boundary with Gaza shoot at children, they are authorized to do so under clear and specific orders. "I know how these orders are given. I know how a sniper does the shooting. I know how many authorizations he needs before he receives an authorization to open fire. It is not the whim of one or the other sniper who identifies the small body of a child now and decides he'll shoot. Someone marks the target for him very well and tells him exactly why one has to shoot and what the threat is from that individual ..."

Such statements are not an aberration, but rather represent Israeli policy at the highest levels. They are also consistent with the incitement by Israeli officials as regards Palestinian children in other contexts. On 21 April, Israeli lawmaker Bezalel Smotrich published a tweet expressing that he was "very sad" that Palestinian child prisoner Ahed Tamimi is in jail because she "should have gotten a bullet, at least in the kneecap", adding that "that would have put her under house arrest for the rest of her life". Twitter temporarily suspended Smotrich's account and the tweet was deleted, but Smotrich said that he "stands behind every word in that tweet", insisting that deterrence is "attained through a balance of terror which is based on our capabilities, on draconian and disproportionate punishment — house demolitions, deportation of families, etc."

A report by Human Rights Watch also confirms that Israel's lethal violence against Palestinians demonstrating during the launch of the Great March of Return was premeditated and "planned at [the] highest levels of the Israeli government". Human rights groups Adalah and Al Mezan have also gathered evidence of 12 videos published on social media showing unarmed protesters, including women and children, being shot by Israeli occupying forces, with some people shot while waving the Palestinian flag or running away from the fence.

Moreover, in a letter addressed to the Secretary-General, Israeli human rights non-governmental organization B'Tselem states that the horrific casualty figures in the context of the Great Return March "are the predictable outcome of the manifestly illegal rules of engagement implemented during the demonstrations, of ordering soldiers to use lethal gunfire against unarmed demonstrators who pose no mortal danger", and pointed to Israel's political leadership, in particular the Prime Minister, Benjamin Netanyahu, the Defence Minister, Avigdor Lieberman, and the army chief of staff, for bearing "responsibility for these fatal outcomes".

In this regard, we reiterate the call by the Secretary-General, echoed by many States, including in yesterday's open debate of the Security Council, and by organizations around the world, for an independent and transparent investigation into the killing of Palestinian civilians by the Israeli occupying forces. These calls need to be followed by due action to hold the perpetrators accountable and prevent the

recurrence of such crimes and the loss of more innocent life, through the launching of an international mechanism that will ensure a legitimate investigation rather than another Israeli whitewash.

Against this backdrop of criminal activity in Gaza, the occupying Power, Israel, has persisted with its deliberate, systematic and gross violations in the West Bank, including East Jerusalem.

In this regard, ongoing violations of international law include home demolitions, forced evictions of families and communities, discriminatory land confiscation, the fragmentation of the territory and imposition of an apartheid regime, and the imprisonment, detention and torture of thousands of Palestinians, including 350 children, 62 women and 6 parliamentarians, in Israeli jails. Moreover, Israel continues to build the illegal wall in the Occupied Palestinian Territory, including East Jerusalem, and to violate the sanctity and historical status of Jerusalem, all in grave breach of the Fourth Geneva Convention, the Charter of the United Nations, United Nations resolutions and all human rights instruments, amounting to war crimes and crimes against humanity. Israeli settlers also continue to ruthlessly terrorize Palestinian civilians, with a weekly average of five attacks since the beginning of 2018.

Israel continues its colonization schemes, enacted and maintained by Israeli officials at all levels, combined with explicit statements by Israeli politicians calling for the annexation of the West Bank. Between 10 and 23 April alone, occupying forces demolished or seized 16 structures in six localities in Area C, affecting the livelihoods of at least 362 people. Israel issued at least 19 demolition and stop-work orders against structures belonging to three communities in Area C.

The persistence of this situation for decades, without remedy or accountability, has inflicted immense suffering on the Palestinian people. That we are entering the fifty-first year of this belligerent colonial occupation is outrageous and unacceptable.

The international community must not remain silent in the face of such blatant crimes, and the urgency of action cannot be overstated. On 26 April, the Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, warned the Security Council that "Gaza is about to explode" and stressed the urgency of collective international action to avert further disaster and to salvage peace prospects. It is incumbent on the Council to speak with one voice to condemn these crimes, demand their cessation, including a full lifting of the blockade, demand an investigation and ensure protection for the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, in accordance with international law, including humanitarian and human rights law, and relevant resolutions.

While the Palestinian people are determined to continue using non-violence to call for their rights, we urge the international community to encourage them and show them that their calls are heeded, not to send them the message that non-violence, international law and the international system will not help them in their quest for their inalienable rights and the realization of long-overdue freedom, justice and independence.

The present letter is in follow-up to our 631 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432–S/2000/921) to 20 April 2018 (A/ES-10/777–S/2018/377), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being

committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine
to the United Nations